

AFFIDAVIT OF TFO/DETECTIVE ANTHONY M. BRACH

I, Detective Anthony Brach, being first duly sworn, hereby depose and state as follows:

1. I am an “investigative or law enforcement officer of the United States” within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and make arrests for offenses enumerated in Section 2510(7) of Title 18, United States Code.
2. I am a Police Officer in the City of Holyoke, Massachusetts. I have been a Police Officer for more than 24 years. I am currently assigned as a Task Force Office to the Department of Homeland Security, Homeland Security Investigations. I was previously assigned to the FBI Springfield Western Mass Gang Task Force (WMGTF). My primary assignment is the investigation of violations of the Controlled Substances Act, 21 U.S.C. §§ 801 et seq., including violations of 21 U.S.C. §§ 841 and 846.
3. Through my training and employment, I have substantial experience investigating narcotics trafficking and other narcotics-related offenses. I have participated in hundreds of narcotics investigations, both as a case agent and in subsidiary roles, regarding the distribution of controlled substances including marijuana, cocaine, heroin, and cocaine base (crack). I also have experience conducting surveillance, handling confidential human sources, handling cooperating witnesses, executing arrest, search, and seizure warrants, conducting court-authorized electronic surveillance, and testifying in court cases. I have debriefed numerous defendants, confidential human sources, and witnesses, and I have written and/or participated in numerous search warrants.
4. I make this affidavit in support of an application for a Criminal Complaint charging MANUEL SANCHEZ (“SANCHEZ”) with distribution of heroin in violation of 21 U.S.C. § 841.

5. I am familiar with the facts and circumstances of this investigation from my own personal participation and from information provided to me by other law enforcement officers.
6. This affidavit is submitted for the limited purpose of establishing probable cause to believe that SANCHEZ committed the above offenses. Accordingly, I have not included each and every fact known to me and other law enforcement officers involved in this investigation. I have set forth only the facts that I believe are needed to establish the requisite probable cause.

PROBABLE CAUSE

The September 27, 2019 Controlled Purchase of Heroin

7. On September 27, 2019, Special Agents and Task Force Officers (TFO's) assigned to the FBI Western Massachusetts Gang Task Force (WMGTF) and Homeland Security Investigations (HSI) met in the city of Holyoke for the purpose of making another controlled purchase of drug evidence from subjects operating in a known open air heroin, cocaine and cocaine base distribution point out of 123 Walnut Street in Holyoke, Massachusetts.
8. At approximately 3:53 p.m., Task Force Officer Jesse Gadorowski, Trooper, Massachusetts State Police (MPS) WMGTF, dropped a Massachusetts State Police Undercover Officer (UCO) in the vicinity of the 123 Walnut Street. The FBI WMGTF equipped the UCO with a transmitter and audio/video recording device. The FBI WMGTF also provided the UCO with an amount of official agency funds (OAF).
9. The UCO walked to 123 Walnut Street and went through the front door. The UCO walked up to the 2nd floor landing and knocked on the door to Apartment 2R. After getting no response, the UCO walked back down the stairs and out of the building. As the UCO came out of the building, he made contact with a heavy set female (UF1), who was walking up the sidewalk to

the front door of 123 Walnut Street. UF1 directed the UCO to the 2nd floor back landing of 123 Walnut Street.

10. The UCO walked through the vacant lot located on the north side of 123 Walnut Street to the back of the building. The UCO walked up the back stairs to the 2nd floor landing. On the second floor landing, the UCO encountered an older male (UM1) and asked him for a "B", a street slang reference to a bundle (10 bags) of heroin. The UCO handed him \$40. UM1 started to walk down the stairs and the UCO asked where he was going. The UM1 pointed to Dwight Street where a second male wearing a red shirt, who the UCO later identified as SANCHEZ through a photo array, was walking towards 123 Walnut Street. SANCHEZ walked up the stairs on the back of 123 Walnut Street. When he reached the second floor landing, SANCHEZ walked over to a scooter that was parked on the landing, reached under the seat area, and took a clear plastic bag containing numerous bundles of heroin. SANCHEZ took from the bag one bundle of heroin and handed it to the UCO. The UCO walked down the back stairs and away from 123 Walnut Street. This controlled purchase was captured by the UCO's transmitter and audio/video recording device.
11. The UCO provided approximately 10 individual baggies containing a substance suspected to be heroin, which the UCO received from SANCHEZ at 123 Walnut Street, to Task Force Officer Will Delgado, Detective, Holyoke Police Department (HPD) WMGTF, to be entered into evidence at the Holyoke Police Department. The suspected heroin was packaged in a manner consistent with heroin packaged for street sale. I believe the suspected heroin to in fact be heroin based upon my training and experience, the packaging, the manner in which it was sold, and the amount of OAF provided to SANCHEZ by UCO being consistent with the amount of heroin UCO received in return.

12. Task Force Officer Jared Hamel, Detective, HPD WMGTF, later downloaded the above referenced audio/video recording, and reviewed the entire September 27, 2019, recording. TFO Hamel reviewed the portion of the recording wherein UCO and the individual who sold him the suspected heroin meet and conduct the transaction. TFO Hamel formed the opinion that the party with whom UCO met and from whom UCO purchased the suspect heroin was MANUEL SANCHEZ, DOB: 10/16/1992. TFO Hamel based his opinion on numerous prior in person encounters with SANCHEZ, along with a comparison of a photograph of SANCHEZ with images captured on the audio/video recording.

The September 30, 2019 Controlled Purchase of Heroin


13. On September 30, 2019, Special Agents and TFOs assigned to the FBI WMGTF and HSI met in the city of Holyoke for the purpose of making another controlled purchase of drug evidence from subjects operating in a known open air heroin, cocaine and cocaine base distribution point out 123 Walnut Street.
14. At approximately 4:35 p.m., TFO Gadorowski dropped a Massachusetts State Police UCO in the vicinity of 123 Walnut Street. The UCO walked to the front of 123 Walnut Street, where he approached a male subject wearing black sweat pants, a white t-shirt and black and white zipper sweatshirt. The UCO reported this was the same individual who handed suspected heroin to the TFO on September 27, 2019 at this same address. Using the audio/video recording, TFO Hamel later positively identified this individual as MANUEL SANCHEZ, DOB: 10/16/1992 ("SANCHEZ").
15. SANCHEZ and the UCO walked in the front door of 123 Walnut Street, where the UCO asked for a "B", street slang reference for a bundle (10 bags) of heroin. SANCHEZ reached up under the area where the mailboxes are in the entryway of 123 Walnut Street and took from it a clear

- plastic bag containing multiple bundles of heroin. SANCHEZ opened the plastic bag took from it 1 bundle and handed it to the UCO in exchange for the OAF. SANCHEZ gave UCO his phone number—(413) 886-4702—and stated they call him “TWIN”. This controlled purchase was captured by the UCO’s transmitter and audio/video recording device.
16. The UCO returned to the pre-determined meeting location, and provided approximately 10 individual baggies containing a substance suspected to be heroin, which the UCO received from SANCHEZ at 123 Walnut Street, to TFO Delgado to be entered into evidence at the Holyoke Police Department. The suspected heroin was packaged in a manner consistent with heroin packaged for street sale. I believe the suspected heroin to in fact be heroin based upon my training and experience, the packaging, the manner in which it was sold, and the amount of OAF provided to SANCHEZ by UCO being consistent with the amount of heroin UCO received in return.
 17. TFO Hamel downloaded the above referenced audio/video recording, and reviewed the entire September 30, 2019, recording. TFO Hamel reviewed the portion of the recording wherein UCO and the individual who sold him the suspected heroin meet and conduct the transaction. TFO Hamel formed the opinion that the party with whom UCO met and from whom UCO purchased the suspect heroin was MANUEL SANCHEZ, DOB: 10/16/1992. TFO Hamel based his opinion on numerous prior in person encounters with SANCHEZ, along with a comparison of a photograph of SANCHEZ with images captured on the audio/video recording.
 18. On October 3, 2019, TFO Hamel prepared a photo array consisting of eight photographs, including SANCHEZ, and presented each of the eight photographs to the UCO consecutively. The UCO identified SANCHEZ as the person from whom he and purchased the suspected heroin at the 123 Walnut Street on September 27, 2019, and September 30, 2019.

CONCLUSION

19. Based on the foregoing, there is probable cause to believe that SANCHEZ violated 21 U.S.C. § 841 by distributing heroin.


Respectfully submitted,



TFO Anthony Brach, Det.
Holyoke Police Department

Dated: October 18, 2019

Sworn to before me and signed in my
Presence and/or by reliable electronic means.



Katherine A. Robertson
UNITED STATES MAGISTRATE JUDGE